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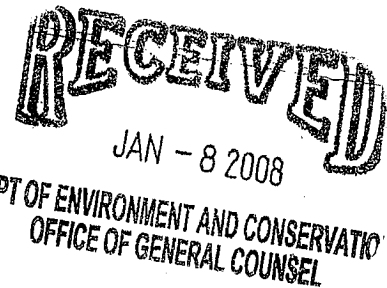
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January 4, 2008

CERTIFIED MAIL

Mr. Patrick Cromer
Enforcement and Compliance Section, Division of Water Pollution
Tennessee Department of Environment and Conservation
6th Floor L & C Annex
401 Church Street
Nashville, TN 37243-1534



Re: Director's Order No. WPCO7-0242
In The Matter Of: Vern C. Thomsen, Jr., et als.

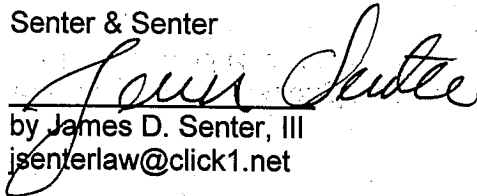
Dear Mr. Cromer:

Please find enclosed original and copy of Petition for Review and Hearing on behalf of the Respondent Reasons Construction Company, Inc., in the above-styled case. In our telephone conversation of December 28, 2007, you stated that it would be appropriate to direct this to your attention. You further stated that you would make note of the fact that the Order and Assessment was sent to the wrong address in Dresden, Tennessee, wherein the Respondent Reasons Construction Company, Inc., is located in Humboldt, Tennessee; and that Reasons Construction Company, Inc., did not actually receive the Order and Assessment until December 11, 2007.

At your convenience, I would appreciate your comments as to what the next steps in this proceeding will be.

Thank you for your cooperation.

Senter & Senter

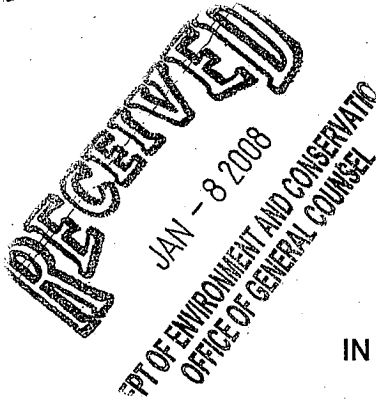

by James D. Senter, III
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JDSIII/kcp
enclosures

Page Two, Letter to Patrick Cromer

copies: Office of General Counsel
Department of Environment and Conservation
20th Floor L & C Tower
401 Church Street
Nashville, TN 37243-1548

Jeffrey B. Reasons
Reasons Construction Company, Inc.
3825 East End Drive
Humboldt, TN 38343



STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION

IN THE MATTER OF:

* DIVISION OF WATER
* POLLUTION CONTROL
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VERN C. THOMSEN, JR.
REASONS CONSTRUCTION
COMPANY, INC. and
DELTA CONTRACTING
COMPANY, LLC

CASE NO. WPC07-0242

RESPONDENTS

PETITION FOR REVIEW AND HEARING

Now comes the Respondent, Reasons Construction Company, Inc., and states as follows in answer and response to the Order and Assessment filed against it and others in this cause, answering and responding according to the Captions and numbered paragraphs of the Order and Assessment:

PARTIES

Paragraphs I-IV are admitted, except that location of the development stated in Paragraph II is Madison County, not Weakley County.

JURISDICTION

Paragraphs V-VIII are admitted, except that it is denied that the Respondent has violated the Water Quality Control Act as alleged in Paragraph VI.

FACTS

CLARIFICATION OF DESIGNATION OF SITE

Respondent would first state that there were two entirely separate sites being developed by the Respondent Vern C. Thomsen, Jr. The Respondent Reasons Construction Company, Inc., (called Reasons)) performed grading and related work on one site, approximately eleven acres, designated Thomsen Farms, Phase III. The Respondent Delta Contracting Company, LLC, (called Delta) performed grading and related work on the other completely separate and much larger site, designated Thomsen Farms, Phase IV. Reasons was awarded the bid on Phase III, as it had been on Phases I and II, all separate sites. Delta was awarded the bid on Phase IV, an entirely different site.

Delta did no work on Phase III, the site awarded to Reasons. Reasons did no work on Phase IV, the site awarded to Delta. Reasons began work on Phase III before Delta ever began work on Phase IV. The sites were completely separate and let out to bids separately at different times.

Respondent Reasons therefore further responds to the Order and Assessment:

IX. Respondent admits that on January 10, 2007, division personnel from the Jackson Environmental Field Office investigated the site designated Phase III, the site where Respondent Reasons was working. Whether the water was sediment laden is neither admitted nor denied. Respondent Reasons stopped work and procured a filter bag in accordance with recommendations from such division personnel.

X. Respondent admits that on January 11, 2007, division personnel from the Jackson Environmental Field Office inspected the site designated Phase III, the site where Respondent Reasons was working. Respondent Reasons neither admits nor denies the allegations and findings of the division personnel on such date.

XI. This paragraph of the Order and Assessment only refers to the Respondent Vern C. Thomsen, Jr. (called Thomsen). Respondent Reasons neither admits nor denies the allegations set forth in such paragraph.

XII. Respondent Reasons admits that on January 29, 2007, it submitted correspondence and reports to division personnel and stated that all Erosion Prevention and Sediment Control measures requested in the Notice of Violation referred to in paragraph XI. above as to the Phase III site had been repaired or installed and that no sediment was found in the storm sewer system.

Respondent Reasons states that there were no more investigations nor inspections nor violations nor notices of violations as to the Phase III site and the construction work was subsequently completed on the Phase III site without any further actions or investigations that would in any way apply to the Phase III site. The Respondent Reasons filed a Notice of Termination with the Division of Water Pollution Control as to the Phase III site on October 24, 2007, although all work had been completed on the Phase III site at least two to three months prior to this date.

XIII. Respondent Reasons states that the allegations contained in this paragraph only refer to the Phase IV site, on which the Respondent Delta was the sole contractor doing grading and related work. The Respondent Reasons did no work on this Phase IV site, and had already completed all work on the Phase III site long before the October 22, 2007, date referred to when the division personnel conducted an inspection on the

Phase IV site. None of the allegations as to the conditions on the Phase IV site set forth in this paragraph XIII. have anything to do with the Respondent Reasons.

XIV. The allegations in this paragraph only refer to the Respondents Thomsen and Delta, and the Respondent Reasons denies that they pertain to it in any manner. Respondent Reasons therefore neither admits nor denies such allegations, and knows nothing as to the conditions and/or violations as to the Phase IV site, nor allegations as to the Respondents Thomsen and Delta.

XV. All allegations in this paragraph are directed toward the Phase IV site, to which the Respondent Reasons had no connection whatsoever. Union University Drive mentioned here only applies to the Phase IV site. Therefore Respondent neither admits nor denies the allegations but states that they would all only pertain to the Respondents Thomsen and Delta.

XVI. Respondent Reasons knows nothing as to what division personnel received since this statement would only refer to the Phase IV site and the Respondents Thomsen and Delta.

XVII. The Respondent Reasons knows nothing of any damages incurred by the Division of Water Pollution Control. The investigation referred to could only be as to the Phase IV site, to which the Respondent Reasons had absolutely no connection, and therefore it denies that it is liable for or responsible for any damages.

VIOLATIONS

XVIII. Respondent denies that it has failed to comply with the terms and conditions of the Tennessee Construction General Permit (TNCGP), and denies that it has violated T.C.A. §§69-3-108(b) and 69-3-114 (b).

XIX. Respondent denies that it has caused a condition of pollution to Moize Creek, and denies that it has violated T.C.A. §§69-3-114(a).

ORDER AND ASSESSMENT

XX. Respondent denies that it is subject to any of the orders and assessments set forth in this Paragraph, and denies that it should be required to pay any penalties or damages in any amount.

REQUEST FOR HEARING

Having fully answered and responded to the Director's Order and Assessment, the Respondent Reasons Construction Company, Inc., hereby requests a hearing before the Water Quality Control Board to review the allegations, findings, orders, penalties, and damages of the Director's Order and Assessment as applicable to and directed toward the Respondent Reasons Construction Company, Inc.

This January 4, 2008.

SENER & SENTER
1414 Main Street
Humboldt, Tennessee
Attorneys for Respondent Reasons
Construction Company, Inc.


by James D. Senter, III

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